

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed in a provisional application on the invention entitled:

**PRODUCTION OF TRANSGENIC POINSETTIA**

the specification of which is attached hereto unless the following box is checked:

was filed on as United States Application Number or PCT International Application Number and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

APPLICATION NO.	FILING DATE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isaacson, Reg. No. 33,715; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandcock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

Address all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to Richard C. Peel at (202) 672-5300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor <i>Tau-San CHOU</i>	Signature of First or Sole Inventor <i>Tau-San Chou</i>	Date 1/20/98
Residence Address 418 Churchill Ct., Batavia, IL 60510	Country of Citizenship USA	
Post Office Address 418 Churchill Ct., Batavia, IL 60510		

Full Name of Second Inventor <i>Robert EISENREICH</i>	Signature of Second Inventor <i>Rob Eisenreich</i>	Date 1/20/98
Residence Address 105 Hickory Street, North Aurora, IL 60542	Country of Citizenship USA	
Post Office Address 105 Hickory Street, North Aurora, IL 60542		

Full Name of Third Inventor <i>John SANFORD</i>	Signature of Third Inventor	Date
Residence Address 43 Sunset Drive, Geneva, NY 14456	Country of Citizenship USA	
Post Office Address 43 Sunset Drive, Geneva, NY 14456		

Full Name of Fourth Inventor <i>Alan BLOWERS</i>	Signature of Fourth Inventor	Date
Residence Address 2 Patricia Drive, Seneca Falls, NY 13148	Country of Citizenship USA	
Post Office Address 2 Patricia Drive, Seneca Falls, NY 13148		

Full Name of Fifth Inventor <i>Franzine SMITH</i>	Signature of Fifth Inventor	Date
Residence Address 602 West North Street, Geneva, NY 14456	Country of Citizenship USA	
Post Office Address 602 West North Street, Geneva, NY 14456		

PRINT ORDER OF INVENTORSHIP AS:

1. Franzine Smith
2. Tau-San Chou
3. Robert Eisenreich
4. John Sanford
5. Alan Blowers
6. Joyce Van Eck

See page nos. 9 & 14 for order of inventorship

Full Name of Sixth Inventor <i>Joyce VAN ECK</i>	Signature of Sixth Inventor	Date
Residence Address <i>9664 Kingtown Road, Trumansburg, NY 14886</i>	Country of Citizenship <i>USA</i>	
Post Office Address <i>9664 Kingtown Road, Trumansburg, NY 14886</i>		

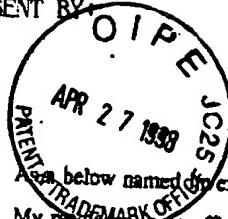
Full Name of Seventh Inventor	Signature of Seventh Inventor	Date
Residence Address	Country of Citizenship	
Post Office Address		

Full Name of Eighth Inventor	Signature of Eighth Inventor	Date
Residence Address	Country of Citizenship	
Post Office Address		

Full Name of Ninth Inventor	Signature of Ninth Inventor	Date
Residence Address	Country of Citizenship	
Post Office Address		

Full Name of Tenth Inventor	Signature of Tenth Inventor	Date
Residence Address	Country of Citizenship	
Post Office Address		

Full Name of Eleventh Inventor	Signature of Eleventh Inventor	Date
Residence Address	Country of Citizenship	
Post Office Address		



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## **PRODUCTION OF TRANSGENIC POINSETTIA**

the specification of which is attached hereto unless the following box is checked:

was filed on July 31, 1997 as United States Application Number or PCT International Application Number 08/903,944 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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Full Name of Second Inventor <i>Robert EISENREICH</i>	Signature of Second Inventor	Date
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Post Office Address 105 Hickory Street, North Aurora, IL 60542		

Full Name of Third Inventor <i>John SANFORD</i>	Signature of Third Inventor <i>JM Sanford</i>	Date 3/18/98
Residence Address 43 Sunset Drive, Geneva, NY 14456	Country of Citizenship USA	
Post Office Address 43 Sunset Drive, Geneva, NY 14456		

Full Name of Fourth Inventor <i>Alan BLOWERS</i>	Signature of Fourth Inventor	Date
Residence Address 2 Patricia Drive, Seneca Falls, NY 13148	Country of Citizenship USA	
Post Office Address 2 Patricia Drive, Seneca Falls, NY 13148		

Full Name of Fifth Inventor <i>Franzine SMITH</i>	Signature of Fifth Inventor <i>Franzine D. Smith</i>	Date 3/19/98
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SENT BY:

3-18-98 : 1:43PM : FOLEY & LARDNER DC E-  
PAGE 3

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Docket No.089166/0107Full Name of Sixth Inventor  
**Joyce VAN ECK**

Signature of Sixth Inventor

Date

*Joyce Van Eck*  
3/27/98

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Signature of Eleventh Inventor

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Full Name of Fourth Inventor <i>Alan BLOWERS</i>	Signature of Fourth Inventor <i>Alan Blowers</i>	Date <i>02-24-98</i>
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